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| OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | LE, CANH | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

This Office Action is in response to the communication filed on 12/18/2008.

Claims 7 and 17 have been cancelled.

Claims 1-6, 9-10, 11-16, 19-22 have been amended.

Claims 1-6, 8-16, 18-22 have been examined and are pending.

Response to Arguments

Applicant's arguments filed 12/18/2008 have been fully considered but they are not persuasive.

The Applicant argues the following:

(a) “ Schneier fails to disclose or suggest "a control section configured to set a mixed encryption processing sequence by dividing an original encryption processing sequence into a plurality of groups composed of one or more encryption processing units, each group being a separate and independent encryption process for encrypting an input data, where the input data to be encrypted is different than the input data to be encrypted for the other groups, said control section mixing processing sequences of encryption processing units of the plurality of groups with each other so that performance of at least one process from one of the groups is performed at a time between processes from another one of the groups,"”.

The Examiner respectfully disagrees with the Applicant as the following reasons:

Per (a):

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Schneier teaches a control section configured to set a mixed encryption processing sequence by dividing an original encryption processing sequence into a plurality of groups composed of one or more encryption processing units [*Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES*], each group being a separate and independent encryption process for encrypting an input data, where the input data to be encrypted is different than the input data to be encrypted for the other groups [*Schneier: pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES*] said control section mixing processing sequences of encryption processing units of the plurality of groups [*Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining encryption*] with each other so that performance of at least one process from one of the groups is performed at a time between processes from another one of the groups [*Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption;*

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figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; Inner CBC and outer CBC modes; Each triple-DES is fixed].

Response to Amendment

The applicant's amendment filed 12/18/2008 necessitated the new ground(s) of rejection presented in this Office action. Therefore, applicant's arguments with respect to claims 1, 3-5, 6, 8, 11, 13-15, 16, 18, and 21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5, 11, 13-15, and 21 are rejected under rejected under 35 U.S.C. 102(b) as being anticipated by **Bruce Schneier**, "Applied Cryptography", 2nd edition, John Wiley & Son, pg. 265-279, pg. 357-263, 1996.

As per claims 11, 1, 21:

Claim 11:

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Schneier teaches an encryption processing method for performing a data encryption process, said encryption processing method comprising:

(a) dividing an original encryption processing sequence into a plurality of groups composed of one or more encryption processing units [**Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES**], each group being a separate and independent encryption process for encrypting an input data, where the input data to be encrypted is different than the input data to be encrypted for the other groups [**Schneier: pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES**];

(b) setting a mixed encryption processing sequence by mixing processing sequences of encryption processing units of the plurality of groups [**Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining encryption**] with each other so that performance of at least one process from one of the groups is performed at a time between processes from another one of the groups and under a condition in which a

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processing sequence of the encryption processing units, set in said dividing, within each group is fixed [Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; Inner CBC and outer CBC modes; Each triple-DES is fixed]; and

(c) performing an encryption process in accordance with the mixed encryption processing sequence set in said setting [Schneier: pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; Triple-DES Cipher Block Chaining encryption is build on 3 DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining (TCBC) encryption. The TCBC includes a triple-DES encryption process].

Claims 1 and 21 are essentially the same as claim 11 except that they set forth the claimed invention as an apparatus / a computer readable storage medium rather than a method and rejected under the same reasons as applied above.

As per claim 13, 3:

Claim 13:

Schneier further teaches an encryption processing method according to Claim 11, wherein said dividing determines a group of sequences, which can be performed independently of each other, within the original encryption processing sequence to be divided in a process of division into the plurality of groups, and performs a process for setting a group of divisions in

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which each of the sequences in the group of sequences can be performed independently as a unit [Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DES; page 272, figure 12.2 One round of DES; Each S-box independently performs an encryption processing as a unit].

Claim 3 is essentially the same as claim 13 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

As per claims 14, 4:

Claim 14:

Schneier further teaches an encryption processing method according to Claim 11, wherein each of said encryption processing units is a single-DES encryption process,

(a) said dividing divides the original encryption processing sequence containing one or more single-DES encryption processes into a plurality of groups composed of one or more single-DES encryption processes [Schneier : pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs], and

(b) said setting sets one mixed encryption processing sequence by mixing the single-DES encryption processing units contained in each group by mutual replacement of the single-DES

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encryption processing units of each set group under the condition in which the processing sequence within each set group is fixed [**Schneier : pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; Triple-DES Cipher Block Chaining encryption is build on 3 DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining encryption. Each triple-DES is fixed**].

Claim 4 is essentially the same as claim 14 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

As per claims 15, 5:

Claim 15:

Schneier further teaches an encryption processing method according to Claim 11, wherein said dividing performs a process for dividing the encryption processing sequence into a plurality of groups composed of one or more encryption processing units with a single-DES encryption process which forms a triple-DES encryption process being an encryption processing unit [**Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs**].

Claim 5 is essentially the same as claim 15 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 9, 10, 12, 19, 20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bruce Schneier**, “Applied Cryptography”, 2nd edition, John Wiley & Son, pg. 265-279, pg. 357-263, 1996 in view of **Bo Lin et al.** (GB 2 345 229 A).

As per claims 12, 2:

Claim 12:

Schneier teaches the subject matter as described in claim 11.

Schneier further teaches an encryption processing method according to Claim 11, wherein each group includes a triple-DES encryption process [**Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES**].

Schneier does not explicitly disclose,

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dividing includes setting a dummy single-DES process as a dummy encryption process that is unnecessary for the original encryption processing sequence in at least one of said groups, and setting the number of single-DES processes of dummies to be set to a multiple of 3.

setting a dummy encryption processing unit that performs the dummy encryption process in at least one of the groups, and

setting the mixed encryption processing sequence by mixing the encryption processing units of a plurality of groups containing said dummy encryption processing units.

However, Lin teaches encryption system resists differential power analysis attacks wherein , setting a dummy encryption processing unit that performs the dummy encryption process in at least one of the groups, and setting the mixed encryption processing sequence by mixing the encryption processing units of a plurality of groups containing said dummy encryption processing units [**Lin: abstract, pg. 11, lines 10-28; “Another technique which could be used to improve resistance to attacks is to insert “dummy” operation to confuse analysis of a power signature... The number of dummy look-ups performed can be chosen to optimize the time it takes to perform the DES operation and the benefit gained in DPA attack resistance ...”.** It is obvious for setting the number of single-DES processes of dummies to be set to a multiple of 3 corresponding to the triple DES because each number of single-DES is set to 1].

dividing includes setting a dummy single-DES process as a dummy encryption process that is unnecessary for the original encryption processing sequence in at least one of said groups, and setting the number of single-DES processes of dummies to be set to a multiple of 3 [**Lin: abstract, pg. 11, lines 10-28; “Another technique which could be used to improve resistance**

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to attacks is to insert “dummy” operation to confuse analysis of a power signature... The number of dummy look-ups performed can be chosen to optimize the time it takes to perform the DES operation and the benefit gained in DPA attack resistance ...”. It is obvious for setting the number of single-DES processes of dummies to be set to a multiple of 3 corresponding to the triple DES because each number of single-DES is set to 1].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the encryption processing method of Schneier by including the teaching of Lin because it would perform the DES operation and the benefit gained in DPA attack resistance [**Lin: pg. 11, lines 18-19**].

Claim 2 is essentially the same as claim 12 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

As per claims 19, 9, 22:

Claim 19:

Schneier teaches an encryption processing method for performing a data encryption process, said encryption processing method comprising:

(a) dividing an original encryption processing sequence, into a plurality of groups which include one or more encryption processing units [**Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple**

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encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs] , each group being a separate and independent encryption process for encrypting an input data, where the input data to be encrypted is different than the input data to be encrypted for the other groups [Schneier: pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES];

(b) setting a mixed encryption processing sequence [Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; each column of the outer CBC is functioned as a triple DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining encryption] by mixing processing sequences of the encryption processing units of the plurality of groups with each other so that performance of at least one process from one of the groups is performed at a time between processes from another one of the groups [Schneier: pg. 270-278; DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs; Inner CBC and outer CBC modes; Each triple-DES is fixed]; and

(c) performing an encryption process in accordance with said mixed encryption processing sequence [Schneier : pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; Triple-DES Cipher Block Chaining encryption is build on 3

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DES; Mixing processing sequence of encryption processing in triple-DES Cipher Block Chaining (TCBC) encryption. In the TCBC includes a triple-DES encryption process].

Scheier does not explicitly disclose dummy encryption processing units performing dummy encryption processes that are unnecessary for the original processing sequence.

However, Lin teaches encryption system resists differential power analysis attacks wherein dummy encryption processing units performing dummy encryption processes that are unnecessary for the original processing sequence [**Lin: abstract, pg. 11, lines 10-28; “Another technique which could be used to improve resistance to attacks is to insert “dummy” operation to confuse analysis of a power signature... The number of dummy look-ups performed can be chosen to optimize the time it takes to perform the DES operation and the benefit gained in DPA attack resistance...”**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the encryption processing method of Schneier by including the teaching of Lin because it would perform the DES operation and the benefit gained in DPA attack resistance [**Lin: pg. 11, lines 18-19**].

Claims 9 and 22 are essentially the same as claim 19 except that they set forth the claimed invention as an apparatus / a computer readable storage medium rather than a method and rejected under the same reasons as applied above.

As per claims 20, 10:

Claim 20:

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Schneier and Lin teach the subject matter as described above.

Schneier further teaches an encryption processing, wherein an encryption processing unit contained in said original encryption processing sequence is a single-DES encryption process [Schneier : pg. 270-278; **DES is a block cipher. DES has 16 rounds; it applies the same combination of technique on the plaintext block 16 times (See Figure 12.1); pg. 358-361, 15.2 Triple encryption; figure 15.1, Triple encryption in CBC mode; triple-DES Cipher Block Chaining encryption is build on 3 DESs**],

Lin further teaches said dummy encryption processes as a single-DES encryption process [Lin: abstract, pg. 11, lines 10-28”; **“Another technique which could be used to improve resistance to attacks is to insert “dummy” operation to confuse analysis of a power signature... The number of dummy look-ups performed can be chosen to optimize the time it takes to perform the DES operation and the benefit gained in DPA attack resistance...”**], and

Schneier and Lin do not explicitly disclose wherein said dividing includes setting the number of dummy encryption processes to a multiple of 3.

It is obvious for setting the number of single-DES processes of dummies to be set to a multiple of 3 corresponding to the triple DES because each number of single-DES is set to 1.

Claim 10 is essentially the same as claim 20 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

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Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bruce Schneier**, “Applied Cryptography”, 2nd edition, John Wiley & Son, pg. 265-279, pg. 357-263, 1996 in view of **Kocher et al.** (US 2001/0053220 A1).

As per claims 16, 6:

Claim 16:

Schneier teaches an encryption processing method according wherein the original encryption processing sequence to be mixed is an encryption processing sequence including a triple-DES encryption process as described in claim 11

Schneier does not explicitly disclose a random-number generation process as a process including a conversion process by three single-DES processes and setting the three single-DES processes as a random- number generation process in one of the groups.

However, Kocher teaches a random-number generation process as a process including a conversion process by three single-DES processes and setting the three single-DES processes as a random- number generation process in one of the groups [**Kocher: par. [0006]; “triple DES (a cipher constructed using three applications of Data Encryption Standard using different keys) can resist all feasible cryptanalytic attacks, provided that attackers only have access to the standard inputs to and outputs from the protocol”; par. [0008], lines 6-8; a key management devices introduce randomness**].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the encryption processing method of Schneier by including the

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teaching of Kocher because it would provide unpredictability into their internal state [**Kocher, par. [008]**].

Claim 6 is essentially the same as claim 16 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bruce Schneier**, “Applied Cryptography”, 2nd edition, John Wiley & Son, pg. 265-279, pg. 357-263, 1996 in view of **Kaminaga et al** (US 2002/0124179 A1).

As per claims 18, 8:

Claim 18:

Schneier does not explicitly disclose storing processing results in a memory for storing processing results of the encryption processing units which form the mixed encryption processing sequence in such a manner as to be capable of identifying which encryption processing unit the processing results are obtained from.

However, Kaminaga teaches storing processing results in a memory for storing processing results of the encryption processing units which form the mixed encryption processing sequence in such a manner as to be capable of identifying which encryption processing unit the processing results are obtained from [**Kaminaga: abstract, par. [0039]**],

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lines 7-10; "processed by an encryption process (step 503). The result Z obtained in the process performed in step 503 is stored on a RAM (step 504)".

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to combine the encryption processing method of Schneier by including the teaching of Kaminaga because it would detect an erroneous operation during encryption processing is that before the output of the encrypted result, the ciphertext result, the ciphertext is again decrypted to a plaintext and compared with the original text, and when they are identical to each other, the ciphertext is output and when they are different, the result of the encryption-process is not output to the external device [**Kaminaga, par. [0014]**].

Claim 8 is essentially the same as claim 18 except that they set forth the claimed invention as an apparatus rather than a method and rejected under the same reasons as applied above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Canh Le whose telephone number is 571-270-1380. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zand' Kambiz can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Canh Le/

Examiner, Art Unit 2439

March 17, 2008

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434